

ESTTA Tracking number: **ESTTA348951**

Filing date: **05/21/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|--|
| Proceeding | 92049025 |
| Party | Plaintiff Raising Cane's USA, LLC |
| Correspondence Address | BRYCE J. MAYNARD BUCHANAN INGERSOLL & ROONEY PC 1737 KING STREET, SUITE 500 ALEXANDRIA, VA 22314 UNITED STATES lloyd.smith@bipc.com |
| Submission | Withdrawal of Cancellation |
| Filer's Name | Bassam N. Ibrahim |
| Filer's e-mail | bassam.ibrahim@bipc.com |
| Signature | /bni/ |
| Date | 05/21/2010 |
| Attachments | Withdrawal of Cancellation.pdf (7 pages)(215687 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

| | | |
|-------------------------------|----|---------------------------|
| RAISING CANE'S USA, LLC, | : | |
| | : | |
| Petitioner, | : | |
| | : | |
| v. | : | Cancellation No. 92049025 |
| | : | |
| SLIM CHICKEN'S HOLDINGS, LLC, | : | |
| | : | |
| Registrant. | : | |
| | : | |
| | :: | |

**WITHDRAWAL OF CANCELLATION PROCEEDING AND
RESPONSE TO SHOW CAUSE ORDER**

Petitioner, through undersigned counsel, hereby requests that the Cancellation be withdrawn and concluded. Specifically, U.S. Registration No. 3,342,290 has been assigned from the Registrant to the Petitioner, and recorded at Reel 004083, Frame 0652. Attached is a copy of the recorded Assignment. In light of the Assignment to the Petitioner of the registration at issue, Petitioner respectfully requests that the Trademark Trial and Appeal Board dismiss the Cancellation proceeding.

RAISING CANE'S USA, LLC

By 

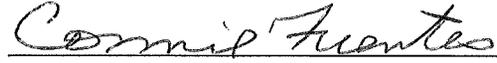
Bassam N. Ibrahim
B. Parker Livingston
Attorneys for Registrant
Buchanan Ingersoll & Rooney, P.C.
1737 King Street
Alexandria, VA 22314-2727
Telephone: 703/836-6620
Facsimile: 703/836-2021

Date: May 21, 2010

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing WITHDRAWAL OF CANCELLATION PROCEEDING AND RESPONSE TO SHOW CAUSE ORDER was served this 21st day of May, 2010 by first-class mail, postage prepaid, on:

Christian Gunn
Keisling Pieper & Scott PLC
One Steele Plaza
3739 Steele Blvd., Suite 340
Fayetteville, AR 72703



Connie Fuentes

TO: B. PARKER LIVINGSTON, JR. COMPANY: P.O. BOX 1404



UNITED STATES PATENT AND TRADEMARK OFFICE

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| | Fax Number: | 17038367419 |
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| From: | Name: | ASSIGNMENT SERVICES BRANCH |
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| 4 | Document 1, Batch 1825439 |

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**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCTOBER 23, 2009

900146003A

PTAS

B. PARKER LIVINGSTON, JR.
P.O. BOX 1404
ALEXANDRIA, VA 22313-1404UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENTTHE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
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REFERENCED BELOW.PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
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REEL/FRAME: 004083/0652
NUMBER OF PAGES: 4BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
DOCKET NUMBER: 1032733-000044

ASSIGNOR:

SLIM CHICKEN'S HOLDINGS, LLC

DOC DATE: 08/13/2009
CITIZENSHIP: ARKANSAS
ENTITY: LIMITED LIABILITY
COMPANY

ASSIGNEE:

RAISING CANE'S USA, LLC
5800 TENNYSON PARKWAY, SUITE 200
PLANO, TEXAS 75024-3549CITIZENSHIP: LOUISIANA
ENTITY: LIMITED LIABILITY COMPANYAPPLICATION NUMBER: 77094337
REGISTRATION NUMBER: 3342290FILING DATE: 01/30/2007
ISSUE DATE: 11/20/2007MARK: ALWAYS FRESH. NEVER FROZEN
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN BLOCK FORM

P.O. Box 1450, Alexandria, Virginia 22313-1450 - www.uspto.gov

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004083/0652 PAGE 2

MARY BENTON, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

TO: B. PARKER LIVINGSTON, JR. COMPANY: P.O. BOX 1404

TRADEMARK ASSIGNMENT

Electronic Version v1.1

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| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Slim Chicken's Holdings, LLC | | 08/13/2009 | LIMITED LIABILITY COMPANY: ARKANSAS |
| RECEIVING PARTY DATA | | | |
| Name: | Raising Cane's USA, LLC | | |
| Street Address: | 5800 Tennyson Parkway, Suite 200 | | |
| City: | Plano | | |
| State/Country: | TEXAS | | |
| Postal Code: | 75024-3549 | | |
| Entity Type: | LIMITED LIABILITY COMPANY: LOUISIANA | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 3342290 | ALWAYS FRESH. NEVER FROZEN | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (703)836-7419 | | |
| | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | | |
| Phone: | (703) 836-6620 | | |
| Email: | parker.livingston@blpc.com | | |
| Correspondent Name: | B. Parker Livingston, Jr. | | |
| Address Line 1: | P.O. Box 1404 | | |
| Address Line 4: | Alexandria, VIRGINIA 22313-1404 | | |
| ATTORNEY DOCKET NUMBER: | 1032733-000044 | | |
| NAME OF SUBMITTER: | B. Parker Livingston, Jr. | | |
| Signature: | /B. Parker Livingston, Jr./ | | |
| Date: | 10/23/2009 | | |

OP \$40.00 3342290

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Total Attachments: 2

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